

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SEDILLO ELECTRIC and
TELESFOR SEDILLO,

Plaintiffs,

v.

CV 15-1172 RB/WPL

COLORADO CASUALTY INSURANCE COMPANY,
LIBERTY MUTUAL INSURANCE COMPANY,
OERLESS INDEMNITY INSURANCE COMPANY, and
BAKER INSURANCE SERVICES, L.L.C.,

Defendants.

ORDER DENYING PLAINTIFFS' MOTION FOR ONE WEEK EXTENSION

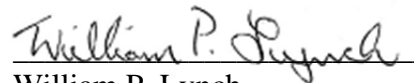
On November 18, 2016, Plaintiffs filed a motion for an additional one-week extension to respond to the pending motion for protective order. (Doc. 131.) The response is due November 21, 2016. I ordered the Defendants to file an expedited response, which they did. (Doc. 133.) Plaintiffs state no reason why they need an additional extension to respond to the motion for protective order. Indeed, as Defendants point out, the motion for protective order was filed on September 30, 2016. (Doc. 105.) The parties agreed to extend the time to respond until November 21, 2016. (Doc. 108.) Plaintiffs have provided, and I cannot discern, a need for further delay in this case.

Furthermore, Plaintiffs submitted an email as proof that they sought, in good faith, concurrence of the Defendants before filing the instant motion to extend time. (Doc. 131-1.) The email is dated November 17, 2016. Counsel represented in the motion that he sent the email to defense counsel. The header for the email clearly indicates that it was sent “**To:** Margay Erne

<margay@jeffriesfirm.com>”. (*Id.*) Ms. Erne, as indicated by her email address and confirmed in the Defendants’ response, does not work for defense counsel, but is instead employed by Plaintiffs’ counsel. At best, this is an oversight on behalf of the Plaintiffs. At worst, it is an affirmative attempt to mislead the Court into believing that counsel sought concurrence on the motion to extend time a full day before filing the motion. In either event, I caution counsel to ensure it does not happen again.

The motion to extend time is denied. Plaintiffs’ response to the motion to compel is due November 21, 2016.

IT IS SO ORDERED.



William P. Lynch
United States Magistrate Judge

A true copy of this order was served on the date of entry--via mail or electronic means--to counsel of record and any pro se party as they are shown on the Court’s docket.